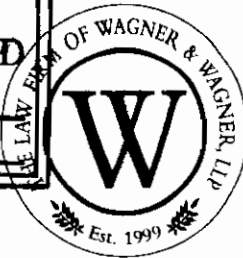


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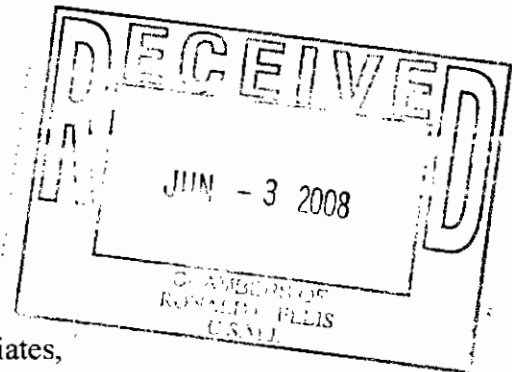
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May 28, 2008

United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 1970
New York, NY 10007

Att: Hon. US Magistrate Judge Ronald L. Ellis

Re: Caption: Belfiore v. 979 Third Avenue Associates,
Civil #: 08-CV-2365 (LAP)(RLE)
Our #: 1324



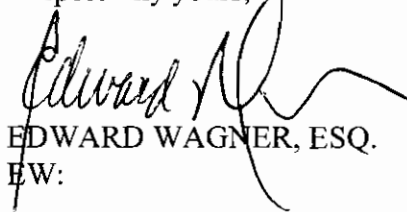
Dear Judge Ellis:

Our office represents the plaintiff in the above action. On April 15, 2008, we attended an Initial Conference. At that time, the defendants expressed their intentions to bring in two third-party defendants. Accordingly, you adjourned the Initial Conference to May 29, 2008 so that all parties, including third-party defendants, could be present.

Although it appears from the filings on the ECF system that the third-party Complaints have been filed, to date there has been no appearance by counsel on their behalf. As such, it would not be productive to hold a conference tomorrow.

As per counsel's communication with Brook Kelly, Esq. we are writing to request that the conference be adjourned to Thursday, July 10, 2008 at 10:30 am, to afford the third-party defendants an opportunity to appear in the action. I have communicated with both defense counsel, Angela Pensabene, Esq. and Steven DiSiervi, Esq. who both consent to this request for an adjournment. A copy of this letter is being faxed to defense counsel today.

Respectfully yours,


EDWARD WAGNER, ESQ.
EW:

Conference adjourned
to 7-24-08 at 10 am

SO ORDERED


6-04-08
MAGISTRATE JUDGE RONALD L. ELLIS